

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JASON ERIC BENSON,
Plaintiff

vs.

THOMAS DURAN, et al.,
Defendants

CIVIL ACTION NO. 1:CV-00-1229

(Judge Caldwell)

(Magistrate Judge Blewitt)

FILED
HARRISBURG, PA

OCT 10 2000

ANDREA, CLERK
Deputy Clerk

**DEFENDANT, DR. LONG'S MOTION TO DISMISS
PLAINTIFF'S COMPLAINT FOR FAILURE TO
EXHAUST AVAILABLE ADMINISTRATIVE REMEDIES**

AND NOW, comes Defendant, Ronald Long, M.D., by and through his attorneys, Lavery, Faherty, Young & Patterson, P.C. , and files this Motion to Dismiss Plaintiff's Complaint for Failure to Exhaust Available Administrative Remedies and in support thereof, avers as follows:

1. Plaintiff, Jason Eric Benson, a pro se prisoner incarcerated at the State Correctional Institution-Smithfield (hereinafter "SCI-Smithfield") initiated this civil action by filing a Complaint on July 10, 2000 against various officials and/or employees at the Adams County Prison and Dr. William J. Steinour, an emergency room physician at the Gettysburg Hospital arising out of an incident which occurred on or about August 27, 1999 at the Adams County Prison.

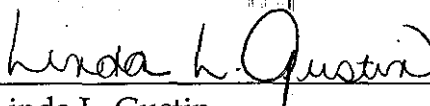
CERTIFICATE OF SERVICE

I, Linda L. Gustin, an employee with the law firm of Lavery, Faherty, Young & Patterson, P.C., do hereby certify that on this 10th day of October, 2000, I served a true and correct copy of the foregoing DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT via U.S. First Class mail, postage prepaid, addressed as follows:

Mr. Jason Eric Benson
SCI-SM
#DS-6483
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Huntingdon, PA 16652

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Linda L. Gustin